

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 643

4
5 By: Senator K. Hammer

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING DUES FOR VOLUNTEER
9 FIRE DEPARTMENTS; AND FOR OTHER PURPOSES.

Subtitle

12 TO AMEND THE LAW CONCERNING DUES FOR
13 VOLUNTEER FIRE DEPARTMENTS.

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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code § 14-20-108(a), concerning dues for volunteer
20 fire departments, is amended to read as follows:

21 (a)(1)(A)(i) The quorum court of each county, upon request filed with
22 the quorum court by one (1) or more volunteer fire departments in the county,
23 ~~may~~ shall adopt an ordinance authorizing a designated county official to
24 collect and remit to the volunteer fire department the annual dues charged by
25 the volunteer fire department in consideration of providing fire protection
26 to unincorporated areas in the county.

27 (ii) As used in this section, "volunteer fire
28 department" means a subscription service organization formed as a nonprofit
29 organization under applicable law.

30 (B)(i)(a)(1) When a quorum court receives a request for
31 the levy of volunteer fire department dues and the request has been signed by
32 the fire chief and the chair and secretary of the board of directors, if any,
33 of a volunteer fire department and filed with the county clerk, within sixty
34 (60) days of the request the quorum court by ordinance shall call for an
35 election on the issue of the levy of the volunteer fire department dues on
36 each residence and on each business having an occupiable structure.



1 (2) The quorum court shall respond in
2 writing to the volunteer fire department within the sixty-day period under
3 subdivision (a)(1)(B)(i)(a)(1) of this section if there are issues or
4 questions the quorum court would like addressed in the request, but in no
5 event shall the quorum court delay the sixty-day period under subdivision
6 (a)(1)(B)(i)(a)(1) of this section.

7 (b)(1) The issue ~~may~~ shall be placed on the
8 ballot at a special election by order of the quorum court in accordance with
9 § 7-11-201 et seq.

10 (2) The special election shall be held
11 by August 1.

12 (c)(1) If an attested petition is filed with
13 the county clerk and signed by a majority of registered voters in the
14 volunteer fire department district voting in the immediately preceding
15 general election, then within sixty (60) days of receipt of the attested
16 petition the quorum court by ordinance shall dispense with a special election
17 on the issue of the levy of volunteer fire department dues.

18 (2) The quorum court shall respond in
19 writing to the volunteer fire department within the sixty-day period under
20 subdivision (a)(1)(B)(i)(c)(1) of this section if there are issues or
21 questions the quorum court would like addressed in the request, but in no
22 event shall the quorum court delay the sixty-day period under subdivision
23 (a)(1)(B)(i)(c)(1) of this section.

24 (d)(1)(A) If the levy of volunteer fire
25 department dues is approved by a majority of those voting on the issue or the
26 county clerk determines that the number of signatures of registered voters is
27 sufficient and the quorum court dispenses with a special election, the
28 volunteer fire department dues shall be listed annually ~~on~~ beginning with the
29 next real property tax ~~statements~~ statement and collected by the county
30 collector ~~at the same time and in the same manner~~ as a prerequisite to the
31 payment of real property taxes.

32 (B)(i) The maximum amount of
33 volunteer fire department dues to be collected by the county as a
34 prerequisite to the payment of real property taxes is one hundred fifty
35 dollars (\$150) on each residence and three hundred dollars (\$300) on each
36 business having an occupiable structure.

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(ii) Volunteer fire department dues that exceed the maximum amounts under subdivision (a)(1)(B)(i)(d)(1)(B)(i) of this section shall be collected by the county collector at the same time and in the same manner as real property taxes but not as a prerequisite to the payment of real property taxes.

(2)(A) The county collector shall report delinquencies to the volunteer fire department for collection.

(B) A volunteer fire department may collect volunteer fire department dues that have become delinquent and may enforce collection by proceedings in a court of proper jurisdiction.

(ii) The cost of the election shall be borne by the volunteer fire department that requested the levy.

(2) The ordinance enacted by the quorum court shall set forth the terms and conditions:

(A) ~~on~~ On which the volunteer fire department dues are to be collected by the county; and

(B) ~~for~~ For the remission of the volunteer fire department dues to the volunteer fire department.

(3) However, an active member of a volunteer fire department whose annual volunteer fire department dues are collected in ~~this~~ the manner described in this subsection may be exempt from the annual volunteer fire department dues at the discretion of the volunteer fire department in consideration of providing services to the volunteer fire department.